

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Criminal Miscellaneous No.32681-M of 2006

Date of Decision : September 01, 2006

Sukhjit Singh.

.....PETITIONER(S)

VERSUS

State of Punjab.

.....RESPONDENT(S)

. . .

CORAM:- HON'BLE MR. JUSTICE AJAI LAMBA

PRESENT:- Mr. Kewal Singh, Advocate, for the
petitioner.

Mr. Eklavya Kumar, Assistant Advocate
General, Punjab assisted by Mr. D.D.
Sharma, Advocate, for the complainant.

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AJAI LAMBA, J. (Oral)

This is a petition under Section 438 Cr.P.C. for bail in a case lodged under Sections 420, 406, 467, 468, 474 and 120-B IPC.

Learned counsel for the petitioner has argued that the petitioner was the power of attorney holder of Manjit Singh in the land transaction. It is not in disputed by the learned counsel for the State, on instructions from ASI Darshan Singh, that the forgery as alleged, has not been committed by the petitioner. The power of attorney has not been used against the directions of Manjit Singh and the petitioner is not a beneficiary.

In view of the above, The petition is allowed. Order

dated 20.7.2006 is hereby made absolute and it is directed that in the event of arrest, the petitioner shall be enlarged on bail on furnishing of bail bonds to the satisfaction of the Arresting/Investigating Officer, subject to the following conditions :-

"(i) The petitioner shall make himself available for interrogation as and when required;

(ii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

(iii) The petitioner shall not leave India without the previous permission of the Court."

This order shall enure till 10 days after the petitioner receives a notice of filing of final report u/s 173, Cr.P.C. within which period, the petitioner would be at liberty to apply for regular bail.

SEPTEMBER 01, 2006
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(AJAI LAMBA)
JUDGE